

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

In Re:

VIRGEN P MERCADO ALVAREZ

Debtor(s)

Case No.: 10-07374(ESL)

Chapter 13

**MOTION TO OBJECT CLAIM NUMBER 8-1 FILED BY RNPM, LLC**

TO THE HONORABLE COURT:

COMES NOW, DEBTOR through the undersigned attorney and respectfully ALLEGES, STATES, AND PRAYS:

1. RNPM, LLC filed a proof of claim number 8-1 in the amount of \$7,600.00 For attorney fees.
2. Debtor hereby objects to the attorney fees claimed in the proof of claim 8-1. though the mortgage deed provide for attorney fees, the amount claimed in the proof of claim of \$7,600.00 is unreasonable for just the filing of a complaint in the estate court and no further action was taken by creditor.
3. Creditor does not provide a detailed description of services rendered, number of hours worked and hourly rate. All of which are requirements of Bankruptcy Rule 2016, when a creditor seeks payment of attorney fees from the state. We request that Creditor provide a detailed explanation of each item and in the case that this item refers to the work by an attorney regarding this case we request that they comply with Rule 2016 of the Bankruptcy Code. We also request that creditor provide us with evidence of said expenses including copy of invoices and documents, related to the foreclosure proceedings.
4. We request this Honorable Court to Order Creditor RNPM, LLC to provide us with the evidence requested in this motion and that in case that Creditor fails to provide said evidence to disallow their claim of attorney fees (claim #8-1)

WHEREFORE, it is respectfully requested from this Honorable Court that based on the above facts to Order Creditor RNPM, LLC to provide us with the evidence requested in this motion and that in case that Creditor fails to provide said evidence to disallow their claim of attorney fees.

**NOTICE**

Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U. S. Bankruptcy Court for the District of

Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. If you file a timely response, the court may — in its discretion—schedule a hearing.

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF Filing System which will send a notification, upon information and belief, of such filing to the Chapter 13 Trustee, to RNPM, LLC., to the US Trustee and to all subscribed users. We will serve by regular mail this document to any creditor as per master address list upon knowing that they are non CM/ECF participants.

RESPECTFULLY SUBMITTED.

In San Juan Puerto Rico, this 5<sup>th</sup> day of October 2010.

*JPC LAW OFFICE*

Attorney for Petitioner(s)

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S/ Jose M Prieto Carballo, Esq

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